

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. After amending the claims as set forth above, claims 13-35 are now pending in this application.

The present invention, as described in the present application, involves the exchange of electronic tokens between different users or entities. There are essentially four users/entities involved in the present invention. A first user/entity is a token issuer such as a bank, a second user/entity is a customer that receives the token from the bank, the third user/entity is a vendor that has goods or services to sell and finally a fourth user/entity is a delegate of the customer. In one embodiment of the present invention, the customer is issued a token from the a bank or other such entity, the customer can then activate the token for buying particular goods or services from a particular vendor, and then the customer makes a choice between spending the tokens with that particular vendor in respect of the specified goods or services or delegating (i.e. transferring) the tokens to a predefined delegate in order that the token can be used by the delegate for buying the pre-specified goods or services.

The Examiner issued an Office Action on June 17, 2005 rejecting all of the pending claims in the present application under new grounds following applicants submission of a request for continued examination. Claims 13-35 were rejected under 35 U.S.C. §102e as being anticipated by U.S. Pat. No. 6,047,269 issued to Biffar (hereinafter "Biffar").

The Examiner has applied Biffar to the claims of the present application; however, the teachings of Biffar do not encompass the type of transaction contemplated by the present application. Generally speaking, Biffar teaches a method for the situation where a customer sells a good or service to another customer in exchange for a transfer of a voucher which is

redeemable via a central account maintained by the issuer of the voucher or transferable to additional parties via commercial transactions. In sharp contrast, the present invention teaches a novel method for electronic commerce where a customer is able to transfer to a delegate (with no sale or exchange involved) a token for use by the delegate with a vendor or vendors.

Biffar does not teach the use of a delegate as taught and claimed in the present application. Biffar discloses “making payment using [a] remote device.” The Examiner has characterized remote device 101 as a delegate, however Biffar is clear that the remote device 101 is not a delegate as claimed and taught by the present application. The remote device 101 is adapted to receive payment from another remote device using a voucher, which the remote device 101 may then use to make payment to a third-party or may “cash-in” with the issuer of the voucher. Unlike a delegate as defined in the present invention, the remote device 101 of Biffar is involved in a transaction with the original customer who received the voucher from the issuer, i.e. a customer/vendor relationship exists. In addition, Biffar is silent as to the original customer ability to create any restrictions on the use of the voucher by the remote device 101.

In addition, Biffar teaches the use of a voucher payment system to replicate cash, i.e. a self-contained payment system where the bearer/owner of the voucher is able to freely use the voucher to pay a vendor (individual or entity) or to “cash-in” the voucher to the issuer. In contrast, the present invention claims a system for allowing a customer to delegate a token to another party for use with a vendor. The delegate is restricted by whatever restrictions the customer placed on the token when it was delegated as well as any restrictions which the issuer may have placed on the token as well. Biffar stresses the importance of the ability to repeatedly transfer the voucher, noting only that there may be a desire to restrict the number of transactions to force the voucher to be check-in to the central database to prevent fraud. However, the present invention involves the use of a credit where its downstream transferability is controlled by the issuer and/or customer. In one embodiment, the present invention does not contemplate the use of tokens as a freely exchangeable medium of transacting business with the token only used as consideration in numerous transactions prior to being “redeemed” with the issuer. Biffar does

not discuss the electronic commerce system as claimed, and, in fact, teaches away from the claimed invention by stressing the use of the voucher as a medium for conducting transactions between buyers and sellers without the need to involve an issuer in each transaction.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

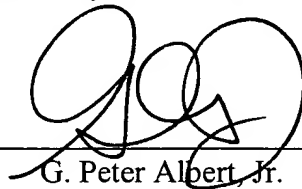
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

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